

To: Sternberg, David[Sternberg.David@epa.gov]
Cc: White, Terri-A[White.Terri-A@epa.gov]
From: Conger, Nick
Sent: Tue 1/14/2014 9:00:52 PM
Subject: RE: NYTimes.com: Critics Say Chemical Spill Highlights Lax West Virginia Regulations

Big help, thanks David.

Nick Conger

Communications Director

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

Office: (202) 564-6287

Cell: (202) 412-2655

From: Sternberg, David
Sent: Tuesday, January 14, 2014 3:08 PM
To: Conger, Nick
Cc: White, Terri-A
Subject: FW: NYTimes.com: Critics Say Chemical Spill Highlights Lax West Virginia Regulations
Importance: High

Nick,

The petition is to remove NPDES Permitting Authority under the Clean Water Act, not the entirety of Clean Water Act duties and responsibilities. The Agency has taken a series of actions which we believe are responsive to the specific issues raised in the petition and are in the process of providing a final response.

A petition is not formally resolved until we issue a formal response accepting or denying the petition and no appeals are outstanding. We are currently trying to move a formal, partial response to the petitioners through HQs concurrence.

I hope this is helpful.

David

From: White, Terri-A
Sent: Monday, January 13, 2014 11:43 AM
To: Sternberg, David; Field, Stephen; Capacasa, Jon
Cc: damm, thomas
Subject: FW: NYTimes.com: Critics Say Chemical Spill Highlights Lax West Virginia Regulations
Importance: High

See HQ question below. David will you get back to Nick, please, once you track down answer? Copy me on reply so that I stay in the loop, as some of these questions are coming from various people. Thanks.

From: Conger, Nick
Sent: Monday, January 13, 2014 11:30 AM
To: White, Terri-A
Subject: FW: NYTimes.com: Critics Say Chemical Spill Highlights Lax West Virginia Regulations

Hi Terri,

I'm sure you have hundreds of questions flying, so sorry to ask another one! But Cynthia Giles is asking me about the status of the petition cited toward the end of this New York Times story – In June 2009, four environmental groups petitioned the E.P.A. to take over much of West Virginia's handling of the Clean Water Act, citing a "nearly complete breakdown" in the state.

Does your office know the status of that petition and whether any action has been taken?

Nick Conger

Communications Director

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

Office: (202) 564-6287

Cell: (202) 412-2655

From: Chester, Steven

Sent: Monday, January 13, 2014 10:18 AM

To: Conger, Nick

Subject: FW: NYTimes.com: Critics Say Chemical Spill Highlights Lax West Virginia Regulations

FYI.

From: Emmerson, Caroline

Sent: Monday, January 13, 2014 10:13 AM

To: Chester, Steven

Cc: Folkemer, Nathaniel

Subject: FW: NYTimes.com: Critics Say Chemical Spill Highlights Lax West Virginia Regulations

FYI. Discussion of EPA oversight and Bayer explosion in 2008.

From: emailthis@ms3.lga2.nytimes.com [mailto:emailthis@ms3.lga2.nytimes.com]

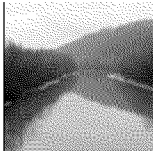
Sent: Monday, January 13, 2014 10:10 AM

To: Emmerson, Caroline

Subject: NYTimes.com: Critics Say Chemical Spill Highlights Lax West Virginia Regulations

Sent by ahearn8251@msn.com:

The New York Times



Critics Say Chemical Spill Highlights Lax West Virginia Regulations

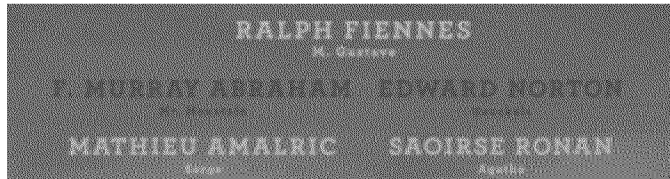
By CORAL DAVENPORT and ASHLEY SOUTHALL

The chemical spill in West Virginia has brought renewed focus on the state's troubled history of environmental disasters.

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